

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8305 of 2017

Arising Out of PS.Case No. -97 Year- 2014 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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Arvind Singh, S/o Rajendra Singh, R/o village - Padumker, P.S. Patahi,
District - East Champaran Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Smt Usha Kumari No-1

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 01-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected vide order dated 20.04.2016 passed in Cr. Misc. No. 51654 of 2015, on the ground that the petitioner is in custody since 04.09.2015, the informant is not the witness and his statement is self contradictory, other co-accused of this case have been allowed bail either by this Court or by the court below itself and as such the petitioner deserves sympathetic consideration. Further up-till-now the case has not been committed to the court of Sessions though there was direction to conclude the trial within nine months.

Learned APP submits that besides the informant, Bikau Baitha also saw the petitioner fleeing away after the occurrence



with illegal arms.

In the facts and circumstances stated above, considering that up-till-now the case has not been committed to the court of Sessions and as such there is no chance of early conclusion of the trial and further there is no chance of tampering with prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VIII, Motihari, East Champaran in connection with Patahi P.S. Case No. 97 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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